

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID S. BOCSY and)
JAMES J. BOCSY,)
Plaintiffs,) 2:08-cv-1482
v.)
COMMONWEALTH OF PENNSYLVANIA,)
COUNTY OF ALLEGHENY,)
REDEVELOPMENT AUTHORITY OF)
ALLEGHENY COUNTY; BOROUGH OF)
HOMESTEAD; MON VALLEY INITIATIVE,)
RICHARD A. RANII,)
MICHAEL A. DELLAVERCCHIA,)
WILLIAM G. MERCHANT, S&A HOMES,)
DWANE YOUNGBLOOD, FRED LAGITITO,)
LLOYD A. WELLING, LAND AMERICA,)
JEFFREY SELBY, JANET NORKUS,)
CASSIE BRANDON, MIKE BLOTZAR, and)
GARY BODNER,)
Defendants.

ORDER OF COURT

AND NOW, this 9th day of January, 2009, upon consideration of THE MON VALLEY INITIATIVE'S MOTION TO DISMISS (Document No. 16), which adopted the Motion to Dismiss and Brief in support filed by Defendants County of Allegheny, Redevelopment Authority of Allegheny County, Richard A. Ranii, William G. Merchant, Janet Norkus, Cassie Brandon, and Mike Blotzar, and the Court's Text Order of November 17, 2008 which required a response to said Motion on or before December 4, 2008, and the Court's Order to Show Cause of December 17, 2008, which again instructed Plaintiffs to file a brief and response in opposition to the pending Motion to Dismiss and extended the response date to on or before January 7, 2009,

and with no response having been filed by Plaintiffs and with due consideration and deliberation of the factual and legal arguments advanced in the Brief in Support of Defendant's Motion to Dismiss, each of which the Court finds to have merit and are specifically unrebuted by Plaintiffs,

NOW THEREFORE, Defendant Mon Valley Initiative's Motion to Dismiss is **GRANTED** in its entirety and Mon Valley Initiative is dismissed without prejudice.

So **ORDERED** this 9th day of January, 2009.

BY THE COURT:

s/ Terrence F. McVerry
United States District Court Judge

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